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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,078	07/02/2001	Chikako Tsuchiyama	ASA-1012	9093

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EXAMINER	
SHIFERAW, ELENI A	

ART UNIT	PAPER NUMBER
2136	

DATE MAILED: 07/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/895,078	TSUCHIYAMA ET AL.	
	Examiner	Art Unit	
	Eleni A. Shiferaw	2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 April 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,5-9,12-14 and 23* is/are pending in the application.

4a) Of the above claim(s) *3,4,10,11,15-22,24 and 25* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-2, 5-9, 12-14, and 23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Final Rejection

Response to Amendment

1. Applicant's arguments/amendments with respect to canceled claim 3-4, 10-11, 15-22, and 24-25, amended claims 3-4, 10-11, 15-22, and 24-25, and presently pending claims 1-2, 5-9, 12-14 and 23, filed on April 27, 2005 have been fully considered but they are not persuasive. The examiner would like to point out that this action is made final (MPEP 706.07a).

2. The examiner acknowledges that the priority document has been received.

Response to Arguments

3. Applicant argues that:

a. None of the cited references disclose these features of the presently claimed invention *"data to embedded by electronic watermark techniques include information to be disclosed and information representing an expiration date which is used to control display of the information to be disclosed."* (page 9 par. 3, and page 10 par. 2).

b. De Boor does not disclose watermarking (page 10 par. 3).

However, Examiner disagrees with applicant.

Regarding argument (a), Argument is not persuasive. Chapman teaches controlling rendering of video or image data depending upon content classification information

which is integrated with the data with an invisible digital watermarking technique. The watermarked content codes are decoded and data is prevented from being displayed depending on the comparison result (see Abstract). And De Boor discloses the second information representing an expiration data (clock information), which is used to control display of said first information/multimedia data to be disclosed by comparing the clock information contained on the multimedia data/second information with the terminal clock information/current clock (De Boor page 16-17, and fig. 3 element 320c).

Regarding argument (b), Argument is not persuasive. Examiner stated that De Boor does not disclose watermarking and Chapman teaches watermarking (see page 10-11 of the first office action).

Based on the arguments set forth by the examiner for arguments (a) and (b), the dependent claims stand rejected.

The examiner is not trying to teach the invention but is merely trying to interpret the claim language in its broadest and reasonable meaning. Therefore, the examiner asserts that the system of the prior art, Chapman, De Boor and Tsuchiyama do teach or suggest the subject matter as recited in independent claims 1, 8, and 23. Dependent claims 2, 5-7, 9, and 12-14, are also rejected at least by virtue of their dependency on independent claims and by other reason set forth in this office action dated July 27, 2005. Accordingly, rejections for claims 1-2, 5-9, 12-14 and 23are respectfully maintained.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1, 5, 7-8, 12, 14, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over DE BOOR (International Publication No.: WO 99/59283) in view of Chapman et al. (Chapman, Patent No.: US 6,216,228 B1).

As per claims 1, 8 and 23 Chapman teaches a data display method/apparatus comprising the steps of:

receiving, by a data terminal (Chapman Fig. 1 No. 20; set top box), multimedia data having data embedded therein by means of electronic watermark techniques (Chapman abstract)said data including first information to be disclosed (Chapman Col. 3 lines 19-24; encoded/encrypted video or image data),

Chapman teaches a second information for controlling said data to be disclosed (Chapman Col. 4 lines 31-39, and col. 11 lines 19-26; watermark code or decoder key), and, said multimedia data symbolically representing a content of said embedded data (Chapman Col. 3 lines 19-24; encrypted video/image content with watermark code, public key to control video/image rendering); comparing said second information included in said received

multimedia data with the condition on said data terminal side (Chapman Fig. 5 No. 60, and col. 11 lines 19-26; comparing watermark code or public key of the video/image data with the one stored on the set top box); and making at least part of said multimedia data or said first information invisible or illegible on said data terminal on the basis of a result of the comparison of said second information (Chapman Col. 9 lines 1-31).

Chapman fails to teach second information representing an expiration data which is used to control display of said first information to be disclosed;

comparing, by said data terminal, the expiration date represented by said second information included in said received multimedia data with clock information contained in said data terminal; and

making, by said data terminal, at least part of said multimedia data or said first information to be disclosed invisible or illegible on said data terminal on the basis of a result of the comparison using the expiration date represented by said second information.

However De Boor teaches the second information representing an expiration data (clock information), which is used to control display of said first information to be disclosed by comparing the clock information contained on the multimedia data/second information with the terminal clock information/current clock (De Boor page 16-17, and fig. 3 element 320c). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to employ the teachings of De Boor with in the system of Chapman because they are analogous in displaying multimedia data. One skilled in the art would have been motivated to employ the teachings of De Boor within the system of Chapman because it would authenticate multimedia data according to the expiration date that the user paid for limited time

to display the user advertisement and the advertiser would charge the user according to the limited time and expiration date (De Boor page 16-17, and fig. 3 element 320c).

As per claims 5, and 12, Chapman and De Boor teach all the subject matter as described above. In addition De Boor teaches all the subject matter as described above.

Chapman does not teach wherein said the second information is representing an expiration date of said multimedia data.

However DE BOOR discloses a method, wherein said data terminal judges whether a current time contained in said clock information falls within said expiration date by comparing the expiration date represented by said second information with the current time in said clock information (DE BOOR Page 20 lines 10-23).

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the teachings of DE BOOR within the system of Chapman because it would determine the advertisement expiration date by comparing the expiration date with the system clock and render within the limited time or prohibit rendering if the limited time of the advertisement is expired (DE BOOR Page 16 lines 28-33).

As per claims 7 and 14, Chapman teaches a method/apparatus, wherein said first information to be disclosed includes outline information briefly showing the content of said embedded data, and whereabouts information showing a location of detailed information of said embedded data, said outline information and said whereabouts information are displayed on said data terminal in response to an input to said multimedia data when said multimedia data is displayed on said data

terminal, and said detailed information is displayed on said data terminal in response to an input to said displayed whereabouts information (Chapman Col. 5 lines 46-51; content classification information).

6. Claims 2, 6, 9 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over DE BOOR (International Publication No.: WO 99/59283) in view of Chapman et al. (Chapman, Patent No.: US 6,216,228 B1), and further in view of Tsuchiyama et al. (Tsuchiyama Pub. No.: US 2002/0129255 A1).

As per claims 2 and 9 Chapman and De Boor teach all the subject matter as described above. In addition, Chapman teaches a method, wherein said *embedded data includes third information (Chapman Col. 11 lines 19-26; decoder key) for confirming the reliability of said embedded data, and said method further comprising the steps of:*

comparing said third information included in said received multimedia data with the condition on said data terminal side (Chapman Col. 11 lines 13-26; comparing the decoding key of the video/image data with the one stored on set top box); and

making said multimedia data and said first information invisible on said data terminal if said embedded data is decided not to have much credibility on the basis of the result of the comparison using said third information (Chapman Col. 11 lines 19-26 and Fig. 5 No. 64 and 66).

Chapman and De Boor do not explicitly teach the third information is electronic signature.

However Tsuchiyama discloses authenticating digital data to render according to the digital signature (page 2 par. 0026). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to employ the teachings of Tsuchiyama within the combination system of Chapman and De Boor because they are analogous in rendering digital data according to the authentication information contained on the data (Abstract). One skilled in the art would have been motivated to incorporate the teachings of Chapman within the system of Chapman an De Boor because it would sign the data and compare to render the data to enhance security (page 2 par. 0026).

As per claim 6, Chapman, De Boor and Tsuchiyama teach all the subject matter as described above. In addition Chapman teaches a method, wherein said data terminal has a public key of a management server for managing said multimedia data, said third information results from encrypting said embedded data by use of a secret key of said management server, and said comparison of said third information is performed so that said data terminal can decide if said embedded data has much credibility by decrypting said third information by said public key and comparing the decoded data with said embedded data (Chapman Col. 11 lines 13-26, and Fig. 5 No. 62, 64, and 66; decoder key of the video/image data is compared with the one stored in the set-top box and displaying appropriate). De Boor teaches the third information is digital signature (page 2 par. 0026). The rational for combining is the same as claim 2 above.

As per claim 13 Chapman, De Boor and Tsuchiyama teach all the subject matter as described above. In addition Chapman teaches a data terminal, wherein said data terminal further

comprises a storage device for storing a public key of said management server for managing said multimedia data (Chapman Col. 11 lines 13-26; decoder key stored in set-top box), said third information is said embedded data that has already been encrypted by use of a private key of said management server (Chapman Col. 11 lines 7-8; encrypting the decoder key by secure key), and said comparison of said third information is performed such that said processor decrypts said third information by use of said public key and compares said decoded data with said embedded data, thereby deciding if said embedded data has credibility (Chapman Col. 13-26). De Boor teaches the third information is digital signature (page 2 par. 0026). The rational for combining is the same as claim 2 above.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eleni A Shiferaw whose telephone number is 571-272-3867. The examiner can normally be reached on Mon-Fri 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eleni Shiferaw
June 29, 2005

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